

IN RULING ON AN ADOPTION PETITION UNDER THIS PART III OF THIS SUBTITLE, A JUVENILE COURT MAY NOT DENY THE PETITION SOLELY BECAUSE THE PETITIONER IS SINGLE OR UNMARRIED.

(C) CONSTRUCTION AS VOLUNTARY.

IF A PARENT CONSENTS TO ADOPTION IN ACCORDANCE WITH § 5-338 OF THIS SUBTITLE, LOSS OF PARENTAL RIGHTS SHALL BE CONSIDERED VOLUNTARY.

COMMITTEE NOTE: Subsections (a)(1) and (b) of this section are derived from former FL §§ 5-309 and 5-316(1).

Subsection (a)(2) of this section is new and added to state expressly that a court may consider relevant factors. Accordingly, former FL § 5-316(2), which provided only for consideration of religious background, is omitted as unnecessary.

Subsection (a)(3) of this section is new and added to reflect the requirements of the referenced regulations of the Department, in COMAR 07.02.12.10.

Subsection (c) of this section is new and added to delineate voluntary TPR under this subtitle.

In subsection (a)(1) of this section, the reference to a "local department" is substituted for the former reference to "the Social Services Administration", to conform to current FL Title 5, Subtitle 4.

Also in subsection (a)(1) of this section, the former word "maintenance" is omitted as included in the defined term "support".

In subsection (b) of this section, the reference to being "unmarried" is substituted for the former reference to "not hav[ing] a spouse".

Defined terms: "Child" § 5-301

"Child placement agency" § 5-101

"Department" § 5-101

"Juvenile court" § 1-101

"Local department" § 1-101

"Parent" § 5-301

"Support" § 1-101

5-338. AUTHORITY TO GRANT ADOPTION.

(A) CONSENT OR ACQUIESCENCE.

A JUVENILE COURT MAY ENTER AN ORDER FOR A CHILD'S ADOPTION UNDER THIS PART III OF THIS SUBTITLE ONLY IF:

- (1) (I) AT LEAST ONE OF THE CHILD'S PARENTS: